



DEVELOPMENT SERVICES DEPARTMENT  
PLANNING & ZONING DIVISION

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6591 ORANGE DRIVE • DAVIE, FLORIDA 33314-3399  
PHONE: 954.797.1103 • FAX: 954.797.1204 • WWW.DAVIE-FL.GOV

Dear Applicant/Petitioner,

The following information includes Ordinance No. 2004-31, which adopted Division 7 - Public Participation section of the Land Development Code. In addition, Planning and Zoning Staff has provided a template/sample outline that is recommended all applicants/petitioners use when adhering to this ordinance. The information is organized as follows:

1. Ordinance 2004-31
2. Citizen Participation Plan Acknowledgment
3. Citizen Participation Plan Flow Chart
4. Citizen Participation Proposed Plan
5. Meeting Notice
6. Location Map
7. Sign In Sheet - Public Participation Meeting I.
8. Summary of the Discussion at Public Participation Meeting I.
9. Sign In Sheet - Public Participation Meeting II.
10. Summary of the Discussion at Public Participation Meeting II.
11. Summary of Public Participation Meetings

If you would like further assistance, you may either visit, or contact the project planner at (954) 797-1103, Monday thru Friday from 8:30 a.m. to 5:00 p.m.

Sincerely ,

Planning and Zoning Staff  
Development Service Department

ORDINANCE NO: 2004-31

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA ADOPTING RULES AND REGULATIONS TO FOSTER CITIZEN PARTICIPATION IN THE PROCESSING OF DEVELOPMENT APPLICATIONS WITHIN THE TOWN; AMENDING THE CODE OF ORDINANCES OF THE TOWN OF DAVIE, BY CREATING DIVISION 7, ENTITLED "PUBLIC PARTICIPATION"; PROVIDING FOR GUIDELINES AND REQUIREMENTS FOR THE CITIZEN PARTICIPATION PLAN AND REPORT; AMENDING SECTION 12-302 ENTITLED "APPLICATIONS"; PROVIDING FOR THE PUBLIC PARTICIPATION PLAN AS A REQUIREMENT OF THE LAND USE PLAN APPLICATION; AMENDING SECTION 12-306 ENTITLED "PROCESSING"; PROVIDING FOR THE PUBLIC PARTICIPATION PLAN AS A REQUIREMENT OF REZONING AND SPECIAL PERMIT APPLICATIONS; AMENDING SECTION 12-372 ENTITLED "SITE PLAN SUBMISSION REQUIREMENTS"; PROVIDING FOR THE PUBLIC PARTICIPATION PLAN AS A REQUIREMENT OF THE SITE PLAN APPLICATION; AMENDING ARTICLE 12-379, ENTITLED "MASTER PLANNED DEVELOPMENT SUBMISSION REQUIREMENTS"; PROVIDING FOR THE PUBLIC PARTICIPATION PLAN AS A REQUIREMENT OF THE MASTER PLANNED DEVELOPMENT; AMENDING SECTION 12-503 ENTITLED "DEFINITIONS"; PROVIDING FOR DEFINITIONS UTILIZED IN THE PUBLIC PARTICIPATION PROCESS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the "Home Rule Powers" granted to the Town pursuant to Chapter 166, Florida Statutes authorize the Town to enact such policies and procedures related to the enhancement of the welfare and benefits derived by the Town's citizens; and

WHEREAS, the ability of citizens of the Town of Davie to actively participate in the Town's development procedures will allow the Town's citizens to play an essential role in shaping the direction of the Town's development, thereby enhancing the welfare of the community; and

WHEREAS, the Legislature of the State of Florida has encouraged public participation within the municipal land development process by enacting Rule 9J-5.004 of the Florida Administrative Code and through the adoption of Section 163.3181, Florida Statutes relating to public participation requirements in the local comprehensive plan process; and

WHEREAS, it is the opinion of the Town Council of the Town of Davie that creating citizen participation procedures within the Town's development review

process will harmonize the necessity of sustainable development within the Town with the valid concerns and advisement of the Town's citizens.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. That Article X of The Town Code is amended to read as follows:

Division 7. Public Participation

Section 12-319.5 Purpose and Intent

The public participation process provides for the ability of citizens of the Town of Davie to actively participate in the Town's development procedures and will allow the Town's citizens to play an essential role in shaping the direction of the Town's development, thereby enhancing the welfare of the community.

Section 12-319.6 Application and Requirements

All Applicants submitting applications to the Town for approval of a site plan, grant of a special permit, rezoning or land use plan amendment shall prepare and execute a plan for citizen participation. Citizen participation plans shall be submitted to the Town's Development Service Department and approved by the planning and zoning manager or an appropriate designee prior to its execution by the Applicant. The Applicant shall thereafter implement the citizen participation plan at least (7) seven days prior to the Development Review Committee's review of the application and shall submit to the Development Services Department a written report setting forth the results of the citizen participation plan procedures at least ten (10) days prior to the first public hearing on the item.

Section 12-319.7 Requirements

(A) Citizen Participation Plan

All citizen participation plans shall include:

- (1) A list of residents and/or property owners, interested parties, and public agencies that may be affected by the application (affected parties). The names and addresses of residents and property owners within the public hearing notice area, as set forth in the Davie Code of Ordinances, shall be provided to Applicant by an appropriate planning representative. The planning representative shall also provide the Applicant with all names of any other interested parties and/or public agencies who have stated an interest in the application.

- (2) A summary of how the Applicant proposes that it will notify all "affected parties" of the application.
- (3) A summary of the proposed application.
- (4) A description of the manner in which the Applicant proposes that it will disseminate information to residents, property owners and/or interested parties.
- (5) A schedule of events planned by the Applicant to complete the citizen - participation procedure. Applicant shall be required to conduct a minimum of two (2) public meetings with "affected parties". This requirement may be waived if letters from all adjacent affected parties state that all their items have been addressed and there is no need for another meeting with the applicant.
- (6) A requirement that the Applicant shall keep the Development Services Department informed of the status of its citizen participation efforts by coordination its efforts through the assigned project planner.

Section 12-319.8.

(A) Citizen Participation Report

All citizen participation reports shall include:

- (1) A written summary of the results of the citizen participation effort prior to the first public meeting in which the application is heard.
- (2) Dates and locations of all meetings where citizens were invited to discuss the Applicant's proposal.
- (3) The names, dates, addresses, and number of people that participated in the process.
- (4) A written summary of the issues and/or concerns raised by residents and how the Applicant proposes to resolve these issues and/or concerns. If the Applicant is unable or unwilling to resolve the issues, the summary should state the reason why these issues cannot be resolved.
- (5) The report shall be reviewed by the planning and zoning staff to determine whether the Applicant has completed the citizen participation process prior to its transmittal by staff to either the site plan committee, planning and zoning board, or local planning agency.

Section 12-319.9    Applicability

The Applicant's citizen participation report shall be included within the item's background material packet and any issues raised by interested parties within the report, pertinent to any provision of the Town Code of Ordinances which may affect the Town Council's determination of the application may be taken into consideration by the Town Council as part of its deliberations. The submitted Citizen Participation Plan shall be considered as one more piece of information to assist Town Council in their decision making.

Section 12-319.10.    Exemptions

The following exemptions represent thresholds or benchmarks for small infill development when the burden may preclude a small property owner from redeveloping the site. These thresholds include the following:

Rezoning:

a decrease in density from what is already existing on the zoning map; and  
a parcel is one acre to less; and  
a parcel that has had no previous planning applications filed in the last twelve months.

Master Development Plan/Site Plan:

a parcel surrounding by existing residential where the zoning and land use are consistent and  
a parcel that has had no previous planning applications in the last twelve months.

Or

A commercial parcel under one acre in size that is completely surrounded by other commercial uses.

A road shall not be considered a barrier for the implementation of these requirements.

SECTION 2. That Section 12-503, Definitions, of the Town Code is amended to read as follows:

12-503 Definitions.

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Affected Parties: The term Affected Parties, as it pertains to the Public participation Process, shall include property owners and residents within the public hearing notice area for each application, homeowner's association presidents for each HOA within the public hearing notice area and business owners whose businesses are within the public hearing notice area.

Applicant: Applicant, as it pertains to the Citizen Participation Procedures, shall mean all individuals or entities submitting an application to the Town for the approval of a master site plan, site plan, land use plan amendment, rezoning, or special permit.

SECTION 3: That Section 12-302 (B) of the Town of Davie Land Development Code shall be amended to state:

(B) All Applications for land use plan amendment shall include the following:

\*\*\*

8) A completed citizen participation plan.

9) A completed citizen participation plan report.

SECTION 4: That Section 12-306 (C) of the Town of Davie Land Development Code shall be amended to state:

(C) Application Requirements: All applications shall include the following:

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12) For special permits and rezoning applications, a completed citizen participation plan.

13) For Special permits and rezoning applications, a completed citizen participation report.

SECTION 5. That Section 12-372 (C) (3) of the Davie Town Code shall be amended to state:

A) An application for site plan review shall be filed with the development services department. The application shall be signed by the current owner or owners of the property to be developed and the name, signature, address, and telephone number of the developer's or owner's representative who shall be contacted with regard to processing of the application for site plan approval. All signatures are to be notarized. The application shall also include a completed citizen participation plan and a citizen participation report.

SECTION 6. That Section 12-379 (A) of the Davie Town Code shall be amended to state:

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(17) The application shall also include a completed citizen participation plan and a citizen participation report.

SECTION 7. All Ordinances or parts of Ordinances in conflict herewith are to the extent of such conflict hereby repealed.


SECTION 8. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

SECTION 9. This Ordinance shall take effect immediately upon its passage and adoption.

PASSED ON FIRST READING THIS 7<sup>th</sup> DAY OF September, 2004

PASSED ON THIS SECOND READING THIS 6<sup>th</sup> DAY OF October, 2004

ATTEST:

  
MAYOR/COUNCILMEMBER

  
TOWN CLERK

APPROVED THIS 6<sup>th</sup> DAY OF October, 2004.

## CITIZEN PARTICIPATION PLAN ACKNOWLEDGMENT

(Date)

Town of Davie  
Development Service Department  
Planning and Zoning Division  
6591 Orange Drive  
Davie, Florida 33314

**Re:     *Citizen Participation Plan for:*  
          *Project Number:***

Dear Staff:

As required by Davie Ordinance No. 2004-31, we (*the petitioner*) are enclosing herewith a copy of the proposed citizen participation plan related to an approval for the proposed referenced application. In addition, to the outline of the plan we are enclosing the following material.

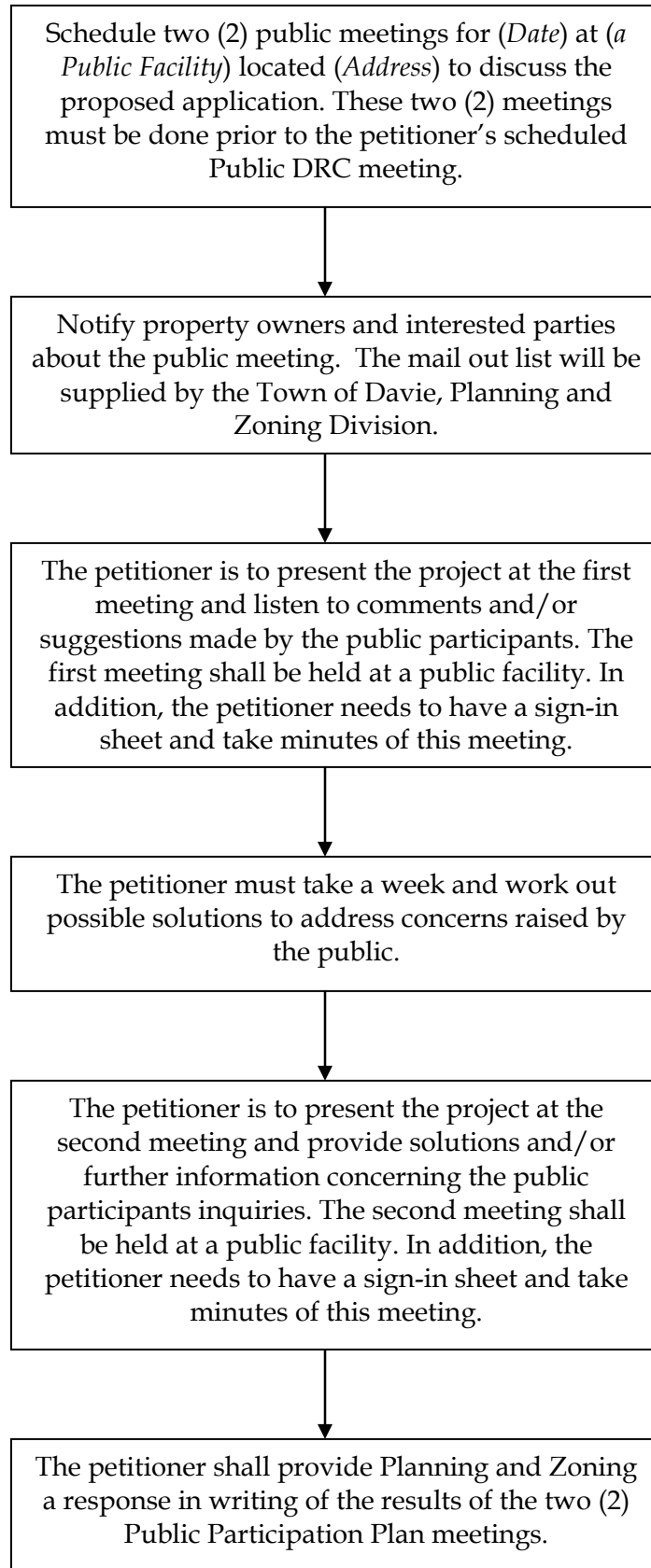
1. A list of residents and/or property owners, interested parties, and public agencies that may be affected by the application (*affected parties*). The names and addresses of residents and property owners within the public hearing notice area, as set forth in the Davie Code of Ordinances, shall be provided to applicant by an appropriate planning representative. The planning representative shall also provide the applicant with all names of any other interested parties and/or public agencies who have stated an interest in the application.
2. A summary of how the applicant proposes that it will notify all "affected parties" of the application.
3. A summary of the proposed application.
4. A description of the manner in which the applicant proposes that it will disseminate information to residents, property owners and/or interested parties.
5. A schedule of events planned by the applicant to complete the citizen-participation procedure. Applicant shall be required to conduct a minimum of two (2) public meetings with "affected parties." This requirement may be waived if letters from all adjacent affected parties state that all their items have been addressed and there is no need for another meeting with the applicant.
6. A requirement that the applicant shall keep the Development Services department informed on the status of its citizen participation efforts by coordinating its efforts through the assigned project planner.

The information above should satisfy the requirements of the public participation and the application review process.

Sincerely,



## CITIZEN PARTICIPATION PLAN FLOW CHART



**CITIZEN PARTICIPATION PLAN FOR**  
**(Application) No. (#)**

**Project Description**

*(Provide a description to the process project/application request)*

**Contact Information**

*(Provide a list of all parties/consultants/owners related to the project/application request)*

**List of Residents and/or Property Owners and Interested Parties**

*(Provide list of all the Residents and/or Property Owners and Interested Parties)*

**Notification Procedure**

*(Provide information how the Residents and/or Property Owners and Interested Parties are to be notified. In addition, the applicant shall provide the Planning & Zoning ,as well as the Clerk's office with a copy of the meeting notification)*

**Dissemination of Information**

*(Provide a description of how the information was Dissemination)*

**Schedule of Events**

*(Provide a schedule of events, including the first and second meeting location, date, and time)*

## **MEETING NOTICE**

(Date)

(Address)

**Re:     *Citizen Participation Plan Meeting for: (Information)***  
***Project Number: (Information)***

Dear Neighbor:

This letter is to invite you to a citizen participation meeting relating to *(project)* for a parcel located at *(address)*. *(The next several sentences should briefly explain the project. The petitioner ought to enclose a location map and site plan if applicable.)*

Under a Town of Davie ordinance, the petitioner is required to hold two (2) citizen participation meetings and send notice to all property owners within 1,000 feet of the subject site prior the Town initiating their review of the application. We have scheduled the following meetings.

First Citizen Participation Meeting:

    Date: *(Information)*

    Time: *(Information)*

    Location: *(Information)*

Second Citizen Participation Meeting:

    Date: *(Information)*

    Time: *(Information)*

    Location: *(Information)*

If you wish to submit written comments, please send them to:

*(Name)*

*(Address)*

*(Phone Number)*

Also, please be advised that there will be additional opportunities for public input at the Town of Davie Public Hearings.

Sincerely,

Attachments: Location Map, *(Etc.)*

**(MEMBERS OF TOWN COUNCIL MAYBE PRESENT)**  
**SIGN IN SHEET**  
**PUBLIC PARTICIPATION MEETING I.**

*(Date)*

NAME

ADDRESS

PHONE

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**SUMMARY OF DISCUSSION**  
**AT PUBLIC PARTICIPATION MEETING I.**

*(The following information should be minutes of the first public hearing meet)*

*(All letters and/or phone calls received by the applicant from the public prior to the first Public Participation Meeting shall be attached to this section)*

**SIGN IN SHEET**  
**PUBLIC PARTICIPATION MEETING II.**

*(Date)*

NAME

ADDRESS

PHONE

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**SUMMARY OF DISCUSSION**  
**AT PUBLIC PARTICIPATION MEETING II.**

*(The following information should be minutes of the second public hearing meet)*

*(All letters and/or phone calls received by the applicant from the public prior to the second Public Participation Meeting shall be attached to this section)*

**SUMMARY OF**  
**PUBLIC PARTICIPATION MEETINGS**

*(Date)*

Town of Davie  
Development Service Department  
Planning and Zoning Division  
6591 Orange Drive  
Davie, Florida 33314

**Re:    *Citizen Participation Plan for:***  
          ***Project Number:***

Dear Staff:

Please be advised that as required by the Town of Davie, Land Development Code, Chapter 12, Division 7, we (*the petitioner*) advertised and notified all the property owners surrounding the subject property within 1,000 feet to invited them to, two (2) Public Participation Meetings, located at (*address*) on (*date*) at (*time*). The above scheduled meetings were held, however, none of the Town of Davie property owners attended. (or) The following is a summary of the key issues brought up by Town of Davie property owners.

*(Provide a summary in this portion of the memo)*

We (*the petitioner*) hope the above information fulfilled the requirements of Public Participation Ordinance concerning this (*application*) process.

Sincerely,



Location of file:

\\Ns\_th\_01\Town\_Hall\Develop\_Service\P&Z\David Abramson\Other\Misc